

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
	:	
v.	:	No. 20-CR-074-MSM
	:	
DAVID STAVELEY,	:	
a/k/a Kurt Sanborn,	:	
Defendant.	:	

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

Attorney Mark L. Josephs respectfully submits this Motion for Leave to Withdraw as Counsel for Defendant David Staveley. Undersigned counsel has represented Mr. Staveley in this matter as defense counsel after being admitted *pro hac vice* for purposes of this representation.

Mr. Josephs requests that he be allowed to withdraw for two reasons. First, Mr. Josephs will be closing his solo Massachusetts practice by the end of January 2021 because he has accepted an offer to serve as in-house counsel in a private company. Second, Mr. Staveley has not paid, and cannot pay, for Mr. Josephs's services. Mr. Josephs has been in touch with the Federal Defender's office about Mr. Staveley, as he will require an Assistant Federal Defender or a CJA attorney.

For the foregoing reasons, undersigned counsel respectfully requests that this Motion for Leave be granted, and undersigned counsel be permitted to withdraw his appearance in this action. The affidavit and certification required by Local Rule Gen 206 are attached.

Respectfully submitted,

Dated: January 6, 2021

/s/ Mark L. Josephs

Mark L. Josephs

MA Bar No. 568454

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AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO WITHDRAW AS COUNSEL

1. My name is Mark Josephs. I am 55 years old, and I am defense counsel to Defendant David Staveley in this action.

2. I am admitted to the Massachusetts, Illinois, and District of Columbia Bars. My Massachusetts Bar Number is 568454.

3. Mr. Staveley is not in the military service of the United States as defined in the Servicemembers Civil Relief Act of 2003 (50 U.S.C. §§ 3901-4043), as amended.

Signed this 6th day of January, under the pains and penalties of perjury.

/s/ Mark L. Josephs
Mark L. Josephs

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v.

DAVID STAVELEY,
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No. 20-CR-074-MSM

**CERTIFICATION OF MARK JOSEPHS IN SUPPORT OF
MOTION FOR LEAVE TO WITHDRAW AS COUNSEL**

1. I, Mark Josephs, hereby certify that I notified my client, Defendant David Staveley, in person at the Wyatt Detention Facility on January 6, 2021, of my intent to file a Motion to withdraw as counsel.

2. I made him aware that he could object to this Motion and that substitution of counsel will not be considered as grounds for delaying the trial or any other matter scheduled in this case.

Respectfully submitted,

/s/ Mark L. Josephs
Mark L. Josephs

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to anyone indicated as a non-registered participant on January 6, 2021.

/s/ Mark L. Josephs
Mark L. Josephs